



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov
DNW Jan-08

MAYER & WILLIAMS PC
251 NORTH AVENUE WEST
2ND FLOOR
WESTFIELD NJ 07090

COPY MAILED

JAN 15 2008

OFFICE OF PETITIONS

In re Application of :
Blanco et al. : DECISION ON PETITION TO
Application Number: 10/691483 : WITHDRAW HOLDING OF
Filing Date: 10/22/2003 : ABANDONMENT
Attorney Docket Number: 9000/8 :

This is a decision on the "REQUEST TO WITHDRAW NOTICE OF ABANDONMENT" which is treated as a petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed on December 5, 2007.

The petition is **GRANTED**.

A Notice of Abandonment was mailed on November 27, 2007, stating that the application was abandoned for failure to timely file a proper reply to the non-final Office action mailed on May 7, 2007.

Petitioners assert that a timely reply was filed.

A review of the record reveals that petitioners are correct, in that an amendment was filed on November 7, 2007. The amendment included the statement "Any deficiencies may be charged to deposit account No. 50-1047."

As such, the showing of record is that the reply filed on November 7, 2007, was timely filed with a three (3) month extension of time. As petitioners have included an authorization to charge fees to counsel's deposit account, a constructive petition for extension of time is included.

The three (3) month extension of time fee will be charged to counsel's deposit account, as authorized.

As such, there is no abandonment in fact. The Office regrets the error.

The holding of abandonment is withdrawn. The Notice of Abandonment is vacated.

The application is referred to Technology Center Art Unit 2621 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3231.

A handwritten signature in black ink, appearing to read "D Wood", is positioned above the typed name.

Douglas F. Wood
Senior Petitions Attorney
Office of Petitions